UNITED
NATIONS

CRC

Convention on the
Rights of the Child

Distr.
GENERAL

CRC/SP/SR.5
21 May 1993

ORIGINAL: ENGLISH

MEETING OF THE STATES PARTIES TO THE CONVENTION ON THE RIGHTS OF THE CHILD

THIRD MEETING

SUMMARY RECORD OF THE 5th MEETING

Held at Headquarters, New York,
on Tuesday, 23 February 1993, at 10 a.m.

Temporary Chairperson: Mr. FLEISCHHAUER
(Representative of the
Secretary-General)

Chairperson: Mr. SAGUIER CABALLERO (Paraguay)

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The meeting was called to order at 10.30 a.m.

OPENING OF THE MEETING BY THE REPRESENTATIVE OF THE SECRETARY-GENERAL OF THE UNITED NATIONS

1. The TEMPORARY CHAIRPERSON, speaking on behalf of the Secretary-General, said that since the second Meeting of the States Parties to the Convention on the Rights of the Child, the number of States Parties had increased from 125 to 128. The steady progression in the number of ratifications and accessions was a matter of great satisfaction, reflecting the international community's continuing interest in achieving the objectives of the Convention.

2. During its third session, the Committee on the Rights of the Child had started the consideration of reports submitted by States Parties and examined initial reports submitted by six States Parties. It had also adopted a number of measures as a follow-up to the day of general discussion devoted to the topic of children in armed conflicts and had also discussed the report of the Fourth Meeting of the Chairpersons of human rights treaty bodies, held in October 1992, as well as its participation in preparatory activities for the World Conference on Human Rights and in the Conference itself. In addition, the Committee had further reviewed its methods of work and possible ways to cope with its heavy workload. With regard to reporting under the Convention, he pointed out that to date a total of 68 initial reports from States Parties were due. Of that number, 15 had been received thus far.

3. The current Meeting had been convened primarily for the purpose of electing five members to the Committee on the Rights of the Child to replace those whose terms of office were due to expire on 28 February 1993. The names of the persons nominated, as well as the States Parties that had nominated them, were listed in document CRC/SP/9 and Addenda 1 to 4. The text of reservations, declarations and objections under the Convention made by States Parties as of 30 June 1992 was contained in document CRC/C/2/Rev.1.

4. Mr. KLINGENBERG (Denmark), speaking on behalf of the States members of the European Community which were parties to the Convention, said that those States had, in numerous United Nations forums, stated their position with regard to the participation of the Federal Republic of Yugoslavia (Serbia and Montenegro). That position remained unchanged.

5. Mr. KOURULA (Finland), speaking also on behalf of Denmark, Norway and Sweden, said that the position of the Nordic countries with regard to the participation of the Federal Republic of Yugoslavia was the same as that expressed by the representative of Denmark on behalf of the States members of the European Community.

6. Mr. DJORDJEVIC (Yugoslavia) said that the current Meeting was not an appropriate forum for discussion of Yugoslavia's status at the United Nations. Other United Nations bodies would address that question and his delegation would continue to participate in the Meeting pending a final decision. Yugoslavia had signed and ratified the Convention on the Rights of

(Mr. Djordjevic, Yugoslavia)

the Child and was therefore fully entitled to participate. Furthermore, his delegation had duly submitted the full powers authorizing its participation. For its part, the Federal Republic of Yugoslavia had clearly expressed its readiness to abide fully by the commitments entered into by the Socialist Federal Republic of Yugoslavia under various treaties, especially those dealing with human rights and the rights of the child.

ELECTION OF THE CHAIRPERSON

7. Mr. SIKKANDER (Sri Lanka) nominated Mr. Saguier Caballero (Paraguay) for the office of Chairperson.

8. Mr. EHLERS (Uruguay) seconded the nomination.

9. Mr. Saguier Caballero (Paraguay) was elected Chairperson by acclamation.

10. Mr. Saguier Caballero (Paraguay) took the Chair.

CREDENTIALS OF REPRESENTATIVES

11. The CHAIRPERSON drew attention to rules 2 and 3 of the rules of procedure of the Meetings (CRC/SP/5) and said that the Secretary-General had yet to receive proper credentials from a number of States Parties represented at the Meeting. He suggested that, in accordance with rule 3, the representatives of those States Parties should be provisionally authorized to participate in the Meeting, and at the same time urged them to see to it that their credentials were submitted to the Secretary-General as soon as possible.

12. It was so decided.

ADOPTION OF THE AGENDA

13. The agenda was adopted.

ELECTION OF OTHER OFFICERS OF THE MEETING

14. The CHAIRPERSON said that, under rule 4 of the rules of procedure, the Meeting had to elect one to four Vice-Chairpersons from among the representatives of the States Parties. Mr. Tring Xuan Lang (Viet Nam) and Mr. Budai (Hungary) had been nominated by their respective regional groups for the office of Vice-Chairperson.

15. Mr. Tring Xuan Lang (Viet Nam) and Mr. Budai (Hungary) were elected Vice-Chairpersons by acclamation.

ELECTION OF FIVE MEMBERS OF THE COMMITTEE ON THE RIGHTS OF THE CHILD IN ACCORDANCE WITH ARTICLE 43 OF THE CONVENTION ON THE RIGHTS OF THE CHILD (CRC/SP/9 and Add.1-4)

16. The CHAIRPERSON said that, in accordance with article 43 of the Convention on the Rights of the Child, five members were to be elected for a term of four years by secret ballot from a list of persons nominated by States Parties. The names of the candidates nominated by the States Parties were contained in document CRC/SP/9 and addenda 1 to 4. Czechoslovakia and Sri Lanka had withdrawn their candidates.

17. Mr. THOMPSON (Jamaica) said that his Government, too, had decided to withdraw its candidate.

18. At the invitation of the Chairperson, Mr. Rosenberg (Ecuador) and Mr. Khairat (Egypt) acted as tellers.

19. A vote was taken by secret ballot.

Number of ballot papers:	123
Number of invalid ballots:	0
Number of valid ballots:	123
Abstentions:	0
Number of States Parties voting:	123
Required majority:	62
Number of votes obtained:	
Mrs. Santos Pais (Portugal)	79
Mrs. Badran (Egypt)	72
Ms. Sardenberg Zelner Gonçalves (Brazil) ..	67
Mrs. Eufemio (Philippines)	41
Miss Rilantono (Indonesia)	38
Mrs. Fall Sow (Senegal)	28
Mr. Mombeshora (Zimbabwe)	28
Mrs. Amadhila (Namibia)	25
Mrs. Chutikul (Thailand)	24

Mr. Zammit Montebello (Malta) 24

Mrs. Ruesta de Furter (Venezuela) 23

Mrs. Ahouandogbo Talon (Benin) 20

Mrs. Nieto Cartin (Costa Rica) 20

Mrs. Karp (Israel) 19

Mrs. Owuor (Kenya) 18

Mrs. Nwabuaku Okobi (Nigeria) 17

Mrs. Haruoia (Estonia) 14

Mrs. Abd Elkarim Badri (Sudan) 13

Mrs. Diaraye Diaby (Guinea) 11

Mr. Any (Niger) 10

Mrs. Nsabimana (Burundi) 7

Mrs. Lisk (Sierra Leone) 6

20. Having obtained the required majority, Mrs. Badran (Egypt), Mrs. Santos Pais (Portugal) and Ms. Sardenberg Zelner Gonçalves (Brazil) were elected members of the Committee on the Rights of the Child for a four-year term beginning on 1 March 1993.

21. The CHAIRPERSON said that, since no other candidate had obtained the required majority, a second vote would be taken by secret ballot at a later meeting. In accordance with rule 15 of the rules of procedure, the voting would be restricted to the following four candidates: Mrs. Eufemio (Philippines), Mrs. Fall Sow (Senegal), Mr. Mombeshora (Zimbabwe) and Miss Rilantono (Indonesia).

OTHER MATTERS (CRC/SP/1993/CRP.1)

22. Mrs. CASTRO de BARISH (Costa Rica) said that her delegation was pleased by the increase in the number of States which had acceded to the Convention on the Rights of the Child. Her Government believed that, given the importance of the Convention, the membership of the Committee should be expanded from 10 members to 18, like other human rights bodies such as the Human Rights Committee, the Commission on the Elimination of Racial Discrimination and the Committee on the Elimination of Discrimination against Women. During the

(Mrs. Castro de Barish, Costa Rica)

previous elections, held in February 1991, it had been noted that there had been great interest in participating in the work of the Committee, in order to help the children of the world. In addition to providing more opportunities to serve, an enlarged Committee would benefit from the contribution of eight additional experts.

23. In the belief that the children of the world would benefit, her delegation had submitted the draft resolution contained in document CRC/SP/1993/CRP.1. Its purpose was to replace the word "ten" by the word "eighteen" in paragraph 2 of article 43 of the Convention. Paragraph 2 expressed the hope that the change would occur before the next elections. She hoped that the draft resolution would be adopted by consensus.

24. Mr. TISSOT (United Kingdom), supported by Mr. FERRARIN (Italy), said that, since he had just received the text of the draft resolution and since it involved an amendment to the Convention, he would like an opportunity to consult his Government. He therefore proposed that consideration of the matter should be deferred.

25. Mrs. CASTRO de BARISH (Costa Rica) said that, while the draft resolution had, indeed, been circulated just before the meeting, the proposal was quite logical and little opposition had therefore been expected. Under article 50 of paragraph 1, of the Convention, the Secretary-General should communicate a proposed amendment to the States Parties in writing and a conference could be convened for the purpose of considering it. If that were done, the membership could be expanded in time for the next elections, scheduled for 1995. If the resolution could not be approved by consensus, a recorded vote should be taken.

26. Mrs. PAIK (Republic of Korea) said that her delegation could not participate in any decision without consulting its Government.

27. Mr. MELENDEZ-BARAHONA (El Salvador), supported by Ms. HASSAN (Egypt), supported the proposal. An increase in the membership was important in order to provide better geographical distribution among States, and a special Meeting of the States Parties could be held in order to consider the matter. The new membership should reflect the principle of equitable geographical distribution at both the regional and the subregional level.

28. Mr. MONGBE (Benin) supported both the proposal to expand the membership and the idea of equitable geographical representation in the Committee. The Committee on the Rights of the Child was very important because the concerns of children were universal and affected every country. A membership of 10 was too small to reflect the interests of the world in the problems of children. As far as procedure was concerned, it would be preferable not to postpone a decision too long. A special Meeting should be called as soon as possible.

29. The CHAIRPERSON said, summing up the discussion, that the Committee had before it a proposal by Costa Rica to amend article 43, paragraph 2, of the Convention in order to expand the membership of the Committee. Since an

(The Chairperson)

amendment was involved, however, several members had expressed the need to consult with their Governments. The representative of El Salvador had also proposed that the principle of equitable geographical distribution should be given consideration.

30. Mr. MELENDEZ-BARAHONA (El Salvador) said he did not believe that that idea should be included in the draft resolution, but rather that the Committee should bear the concept in mind. A process of democratization was taking place within all United Nations bodies, so that countries both large and small could enjoy equal access. Smaller countries had often been marginal participants.

31. The CHAIRPERSON pointed out that article 43, paragraph 2, of the Convention called for consideration to be given to equitable geographical distribution. In the absence of a consensus on the draft resolution, the representative of Costa Rica had asked for a recorded vote.

32. Mr. VILLEGAS (Mexico), supported by Ms. SEMAFUMU (Uganda), said it was his understanding that there was no opposition to the idea of expanding the membership. Delegations simply wished to consult their Governments in accordance with procedures. In his opinion, it was very important to avoid a vote on the resolution since there was no real opposition. The matter should be therefore resolved through consultations.

33. Mrs. CASTRO de BARISH (Costa Rica) suggested that a paragraph could be added between paragraphs 1 and 2 of the draft resolution to the effect that the Secretary-General was requested to hold consultations with States Parties regarding the proposed amendment.

34. Mr. TISSOT (United Kingdom) said that the problem lay not with support for an amendment to the Convention, but with allowing delegations sufficient time for consultation before taking action on any proposal. Under rule 20 of the rules of procedure of the Committee, which referred to rule 78 of the rules of procedure of the General Assembly, proposals and amendments should be circulated 24 hours before their consideration at a meeting.

35. Mr. MOSTURA (France) said that the draft resolution did not comply with the amendment procedure as laid down in article 50, paragraph 1, of the Convention. While he supported the amendment, the Meeting of States Parties might be exceeding its authority in attempting to approve it. His delegation would favour the convening of a special Meeting to consider expanding the membership.

36. Mrs. CASTRO de BARISH (Costa Rica) said that, although the "24-hour rule" did indeed apply, in practice it was often ignored when a resolution was not expected to give rise to discussion. Her proposal to add a new paragraph concerning consultations with the Secretary-General should cover the problem raised by the representative of France.

37. Mr. DOPKXUNAS (Belarus), supported by Mr. BATAINEH (Jordan) and Mr. SENGWE (Zimbabwe), said that, although his delegation was aware of the importance of the issue, it was not in a position to take any immediate action. Certain technical procedures had to be followed. His delegation therefore supported the proposal that consideration of the draft resolution should be deferred.

38. Mr. EHLERS (Uruguay) suggested that the Secretariat should advise delegations as to whether further consultations or an ad hoc Meeting would be appropriate in the current situation.

39. Mrs. OGUNLEYE (Nigeria) said that her delegation would support the convening of an ad hoc Meeting for the purpose of taking action on the proposal.

40. Mrs. MBELLA NGOMBA (Cameroon) said it was not clear whether the United Kingdom representative was proposing that action should be deferred for 24 hours or for a longer period; in the latter case, it might be preferable to consider the draft resolution at the current meeting, as it would give the Secretary-General a mandate to undertake consultations with States Parties.

41. Mrs. KABA (Côte d'Ivoire) said her delegation supported the proposal that the Secretary-General should be requested to undertake consultations with a view to the convening, within one year, of a Meeting of States Parties to consider the expansion of the membership of the Committee.

42. The CHAIRPERSON said that article 50 of the Convention did not provide for consultations to be convened by the Secretariat.

43. Mr. SREENIVASAN (India) suggested that, as most delegations appeared to be in agreement that the membership of the Committee on the Rights of the Child should be reviewed, paragraph 1 of the draft resolution could be amended to read: "Decides to review the membership of the Committee of experts mentioned in paragraph 2 of article 43". The draft resolution could then be adopted, thus setting in motion the process of consideration of the membership of the Committee by the Meeting of States Parties.

44. Mr. PHOOFOLO (Lesotho) said that, in view of the need to ensure equitable geographical distribution in the Committee, it would be unwise to adopt a hasty decision on the draft resolution.

45. Mr. ADALA (Kenya) supported the Indian proposal.

46. Mr. MADEJ (Poland) said that his delegation urged States Parties to adhere strictly to the amendment procedure provided for in article 50 of the Convention. Under that procedure, the Costa Rican proposal should be submitted to the Secretary-General, who would then communicate it to the States Parties.

47. Mr. MOSTURA (France) requested clarification regarding the French translation of document CRC/SP/1993/CRP.1. In paragraph 1, where the English text read "Supports the replacement" and the Spanish text read "Apoya la sustición", the French version read "Appuie l'amendement". If the Costa Rican proposal was being submitted as an amendment to the Convention, that would be in complete contravention of article 50.

48. Mrs. CASTRO de BARISH (Costa Rica) said that her delegation could accept the Indian proposal, which appeared to be supported by a number of States Parties. Her Government was not especially attached to the notion that the membership of the Committee should be increased to 18, but had based its proposal on the fact that several other treaty bodies had 18 members.

The meeting was suspended at 12.15 p.m. and resumed at 12.35 p.m.

49. The CHAIRPERSON suggested that the following statement should be adopted by the Meeting and transmitted to the Secretary-General: "The Meeting of States Parties to the Convention on the Rights of the Child takes note of the intention of the Government of Costa Rica to propose a revision of article 43, paragraph 2, of the Convention, with a view to increasing the number of members of the Committee on the Rights of the Child". If he heard no objection, he would take it that the Meeting wished to adopt that statement.

50. It was so decided.

The meeting rose at 12.50 p.m.

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Distr.
GENERAL

CRC/SP/SR.6
21 May 1993

ORIGINAL: ENGLISH

MEETING OF THE STATES PARTIES TO THE CONVENTION
ON THE RIGHTS OF THE CHILD

SUMMARY RECORD OF THE 6th MEETING

Held at Headquarters, New York,
on Tuesday, 23 February 1993, at 3 p.m.

Chairman: Mr. SAGUIER CABALLERO (Paraguay)

CONTENTS

Election of five members of the Committee on the Rights of the Child in accordance with article 43 of the Convention on the Rights of the Child (continued)

Other matters

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The meeting was called to order at 3.20 p.m.

ELECTION OF FIVE MEMBERS OF THE COMMITTEE ON THE RIGHTS OF THE CHILD IN ACCORDANCE WITH ARTICLE 43 OF THE CONVENTION ON THE RIGHTS OF THE CHILD (CRC/SP/9 and Addenda) (continued)

1. The CHAIRMAN recalled that, since only three candidates had obtained the required absolute majority for election as members of the Committee, a second ballot, restricted to four candidates, would be held to fill the remaining places, in accordance with rule 15 of the rules of procedure (CRC/SP/L.1).

2. At the invitation of the Chairman, Mr. Issa (Egypt) and Mr. Rosenberg (Ecuador) acted as tellers.

3. A vote was taken by secret ballot.

Number of ballot papers:	119
Invalid ballots:	0
Number of valid ballots:	119
Abstentions:	9
Number of members voting:	119
Required majority:	60

Number of votes obtained:

Mrs. Eufemio:	65
Mr. Mombeshora:	63
Miss Rilantono:	52
Mrs. Fall Sow:	48

4. Having obtained the required majority, Mrs. Eufemio and Mr. Mombeshora, were elected members of the Committee on the Rights of the Child.

OTHER MATTERS

5. Mr. WRBA (Austria) said that his delegation wished to exress its strongest reservations concerning the participation of representatives of the Federal Republic of Yugoslavia (Serbia and Montenegro) in the meeting.

6. Mr. KOVAČIČ (Slovenia) said that his delegation supported the statements made by the representative of Austria and speakers at the previous meeting regarding the participation of the Federal Republic of Yugoslavia (Serbia and Montenegro) in the meeting.

7. Mrs. MLADINEO (Croatia) said that, in the light of the substance of the Convention on the Rights of the Child, her delegation strongly believed that the participation of the Federal Republic of Yugoslavia in the meeting should be considered in line with the position taken by the Commission on Human Rights.

8. Mr. FRANCIS (Australia) said that his delegation wished to express its reservations regarding the participation of the Federal Republic of Yugoslavia in the meeting.

The meeting rose at 4.20 p.m.